

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

MONDAY, THE 30TH JULY 2007 / 8TH SRAVANA 1929

WP(C).No. 1572 of 2004(K)

PETITIONER:

**SREEKALA, D/O. SULOCHANA,
AGED 40 YEARS, THADATHARIKATH PUTHENVEEDU,
PEYAKKAVILA, PAZHAYAKACHERI, ARYANAD,
THIRUVANANTHAPURAM.**

**BY ADV. SRI.T.A.UNNIKRISHNAN,
SRI.K.SATHEESH KUMAR,
SMT.RESHMI POULOSE.**

RESPONDENTS:

- 1. THE DISTRICT MANAGER,
KERALA FINANCIAL CORPORATION, VELLAYAMBALAM,
THIRUVANANTHAPURAM.**
- 2. THE KERALA FINANCIAL CORPORATION,
REP. BY THE MANAGING DIRECTOR, TRIVANDRUM.**

BY ADV. SRI.R.S.KALKURA.

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 30/07/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

W.P.(C). NO.1572/2004:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE TENDER NOTICE DTD. 17/12/2003 ISSUED BY THE R.1.

EXT.P.2: COPY OF THE REPRESENTATION DTD. 30/12/2003 BEFORE THE R.1.

RESPONDENT'S EXHIBITS: NIL.

//TRUE COPY//

P.A. TO JUDGE

prv.

THOTTATHIL B.RADHAKRISHNAN, J.

W.P(C).No.1572 OF 2004

Dated this the 30th day of July, 2007

JUDGMENT

It is submitted by the learned counsel for the Kerala Financial Corporation that no amount was paid in terms of the order dated 22.7.2004. This is recorded.

The petitioner claims that she and her children would be thrown to the street if sale as per Ext.P1 takes place. However, KFC has a mortgage right over the property since title deeds of the said property is deposited creating mortgage in favour of KFC, in support of a loan, by her husband.

Under such circumstances, I find no merit in this writ petition at this distant point of time. The writ petition fails and is accordingly dismissed.

Sd/-

**THOTTATHIL B.RADHAKRISHNAN,
Judge**

kkb.